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COMMONWEALTH OF KENTUCKY

2013 REGULAR SESSION

SENATE BILL NO. 61

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SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY L. Adler

1 AN ACT relating to early high school graduation and making an appropriation
2 therefor.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
5 BE NUMBERED AS KRS 158.142 AND TO READ AS FOLLOWS:

6 (1) Beginning with the 2014-2015 school year, a public school student may complete
7 an early high school graduation program and qualify for an Early Graduation
8 Scholarship Certificate for use at a Kentucky public two (2) year community and
9 technical college or a Kentucky four (4) year public or non-profit, independent
10 institution that is accredited by the Southern Association of Colleges and
11 Schools, if conditions specified in this section are met.

12 (2) Each student desiring to complete an early graduation program shall indicate to
13 the secondary school principal his or her intent prior to the beginning of grade
14 nine (9) or as soon thereafter as the intent is known. The intent shall be indicated
15 on a form provided by the Kentucky Department of Education and signed by the
16 parent.

17 (3) For early graduation in accordance with this section, a student shall:

18 (a) Obtain a qualifying benchmark score as determined by the Kentucky Board
19 of Education on each of the end-of-course examinations that make up the
20 high school achievement portion of the accountability system under KRS
21 158.6453;

22 (b) Successfully complete the requirements for early high school graduation as
23 established in administrative regulation by the Kentucky Board of
24 Education; and

25 (c) Score on the ACT examination at or above the benchmarks set by the
26 Council on Postsecondary Education for mathematics, reading, and
27 English and any additional content areas for which the Council on

1 Postsecondary Education establishes benchmarks.

2 (4) The Kentucky Board of Education or a local board of education shall not impose
3 graduation requirements that would prohibit a student who is pursuing an early
4 graduation program as described in this section from finishing high school in
5 less than four (4) years.

6 (5) Students pursuing early graduation may take two (2) high school English courses
7 in an academic year.

8 (6) Students pursuing early graduation may complete selected courses at the middle
9 school level. Each school district is encouraged to provide access to all middle
10 school students to English I and Algebra I courses for high school credit. Access
11 may be provided by each middle school offering the course on-site or by the
12 district providing transportation for students to a central location within the
13 district, to a neighboring school within the district, or to a neighboring school
14 district. The district may also provide access for the student to take these courses
15 on-line based on the local board of education policy.

16 (7) (a) In addition to the regular high school diploma, a student who completes a
17 program of study that meets the requirements of subsection (3) of this
18 section shall receive an Early Graduation Scholarship Certificate signed by
19 the high school principal and district superintendent.

20 (b) A student who earns an Early Graduation Scholarship Certificate shall be
21 eligible for a scholarship award to be used at an institution described in
22 subsection (1) of this section. The award amount shall be equal to one-half
23 (1/2) of the state portion of the average statewide per pupil guaranteed base
24 funding level as described in Section 3 of this Act for the year in which the
25 student graduates.

26 (c) The student shall be eligible for the scholarship award only for the next
27 academic year following early graduation.

(d) Each public high school shall report all Early Graduation Scholarship Certificate recipients by July 1 for the previous academic year to the Kentucky Higher Education Assistance Authority.

(e) Each postsecondary institution described in subsection (1) of this section shall notify the Kentucky Higher Education Assistance Authority of students with an Early Graduation Scholarship Certificate who enroll in the institution. The authority shall disburse the award amount described in paragraph (b) of this subsection from the early graduation trust fund established by Section 2 of this Act.

→ SECTION 2. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO READ AS FOLLOWS:

(1) The early graduation scholarship trust fund is created as a separate restricted fund to be administered by the Kentucky Higher Education Assistance Authority. The trust fund shall consist of funds from grants, contributions, appropriations, or other moneys made available for the purposes of the trust fund.

(2) Funds allocated by the General Assembly under provisions of subsection (3) of Section 3 of this Act shall be deposited into the trust fund.

(3) Notwithstanding KRS 45.229, trust fund amounts not expended at the close of a fiscal year shall not lapse but shall be carried forward to the next fiscal year.

(4) Any interest earned on moneys in the trust fund shall become a part of the trust fund and shall not lapse.

(5) Trust fund moneys shall be used for Early Graduation Scholarship Certificate awards as described in Section 1 of this Act. Funds shall be distributed by the Kentucky Higher Education Assistance Authority in accordance with Section 1 of this Act.

→ Section 3. KRS 157.360 is amended to read as follows:

(1) (a) In determining the cost of the program to support education excellence in

Kentucky, the statewide guaranteed base funding level, as defined in KRS 157.320, shall be computed by dividing the amount appropriated for this purpose by the prior year's statewide average daily attendance.

(b) When determining the biennial appropriations for the program, the average daily attendance for each fiscal year shall include an estimate of the number of students graduating early under the provisions of Section 1 of this Act.

(2) Each district shall receive an amount equal to the base funding level for each pupil in average daily attendance in the district in the previous year, except a district shall receive an amount equal to one-half (1/2) of the state portion of the average statewide per pupil guaranteed base funding level for each student who graduated early under the provisions of Section 1 of this Act. Each district's base funding level shall be adjusted by the following factors:

(a) The number of at-risk students in the district. At-risk students shall be identified as those approved for the free lunch program under state and federal guidelines. The number of at-risk students shall be multiplied by a factor to be established by the General Assembly. Funds generated under this paragraph may be used to pay for:

1. Alternative programs for students who are at risk of dropping out of school before achieving a diploma; and
2. A hazardous duty pay supplement as determined by the local board of education to the teachers who work in alternative programs with students who are violent or assaultive;

(b) The number and types of exceptional children in the district as defined by KRS 157.200. Specific weights for each category of exceptionality shall be used in the calculation of the add-on factor for exceptional children; and

(c) Transportation costs. The per-pupil cost of transportation shall be calculated

as provided by KRS 157.370. Districts which contract to furnish transportation to students attending nonpublic schools may adopt any payment formula which assures that no public school funds are used for the transportation of nonpublic students.

(3) Beginning with the 2015-2016 school year and each year thereafter, the General Assembly shall annually allocate funds equal to one-half (1/2) of the state portion of the average statewide per pupil guaranteed base funding level for each student who graduated early under the provisions of Section 1 of this Act the previous school year to the Kentucky Higher Education Assistance Authority for deposit in the early graduation scholarship trust fund.

(4) The program to support education excellence in Kentucky shall be fully implemented by the 1994-95 school year.

~~(5)~~(4) (a) Except for those schools which have implemented school-based decision making, the commissioner of education shall enforce maximum class sizes for every academic course requirement in all grades except in vocal and instrumental music, and physical education classes. Except as provided in subsection (5) of this section, the maximum number of pupils enrolled in a class shall be as follows:

1. Twenty-four (24) in primary grades (kindergarten through third grade);
2. Twenty-eight (28) in grade four (4);
3. Twenty-nine (29) in grades five (5) and six (6);
4. Thirty-one (31) in grades seven (7) to twelve (12).

(b) Except for those schools which have implemented school-based decision making, class size loads for middle and secondary school classroom teachers shall not exceed the equivalent of one hundred fifty (150) pupil hours per day.

(c) The commissioner of education, upon approval of the Kentucky Board of Education, shall adopt administrative regulations for enforcing this provision.

1 These administrative regulations shall include procedures for a superintendent
 2 to request an exemption from the Kentucky Board of Education when unusual
 3 circumstances warrant an increased class size for an individual class. A
 4 request for an exemption shall include specific reasons for the increased class
 5 size with a plan for reducing the class size prior to the beginning of the next
 6 school year. A district shall not receive in any one (1) year exemptions for
 7 more classes than enroll twenty percent (20%) of the pupils in the primary
 8 grades and grades four (4) through eight (8).

9 (d) In all schools the commissioner of education shall enforce the special
 10 education maximum class sizes set by administrative regulations adopted by
 11 the Kentucky Board of Education. A superintendent may request an
 12 exemption pursuant to paragraph (c) of this subsection. A local school council
 13 may request a waiver pursuant to KRS 156.160(2). An exemption or waiver
 14 shall not be granted if the increased class size will impede any exceptional
 15 child from achieving his individual education program in the least restrictive
 16 environment.

17 ~~(6)~~~~(5)}~~ In grades four (4) through six (6) with combined grades, the maximum class
 18 size shall be the average daily attendance upon which funding is appropriated for
 19 the lowest assigned grade in the class. There shall be no exceptions to the maximum
 20 class size for combined classes. In combined classes other than the primary grades,
 21 no ungraded students shall be placed in a combined class with graded students. In
 22 addition, there shall be no more than two (2) consecutive grade levels combined in
 23 any one (1) class in grades four (4) through six (6). However, this shall not apply to
 24 schools which have implemented school-based decision making.

25 ~~(7)~~~~(6)}~~ If a local school district, through its admission and release committee,
 26 determines that an appropriate program in the least restrictive environment for a
 27 particular child with a disability includes either part-time or full-time enrollment

1 with a private school or agency within the state or a public or private agency in
2 another state, the school district shall count as average daily attendance in a public
3 school the time that the child is in attendance at the school or agency, contingent
4 upon approval by the commissioner of education.

5 ~~(8)~~~~{(7)}~~ Pupils attending a center for child learning and study established under an
6 agreement pursuant to KRS 65.210 to 65.300 shall, for the purpose of calculating
7 average daily attendance, be considered as in attendance in the school district in
8 which the child legally resides and which is party to the agreement. For purposes of
9 subsection (1) of this section, teachers who are actually employees of the joint or
10 cooperative action shall be considered as employees of each school district which is
11 a party to the agreement.

12 ~~(9)~~~~{(8)}~~ Program funding shall be increased when the average daily attendance in any
13 district for the first two (2) months of the current school year is greater than the
14 average daily attendance of the district for the first two (2) months of the previous
15 school year. The program funds allotted the district shall be increased by the percent
16 of increase. The average daily attendance in kindergarten is the kindergarten full-
17 time equivalent pupils in average daily attendance.

18 ~~(10)~~~~{(9)}~~ If the average daily attendance for the current school year in any district
19 decreases by ten percent (10%) or more than the average daily attendance for the
20 previous school year, the average daily attendance for purposes of calculating
21 program funding for the next school year shall be increased by an amount equal to
22 two-thirds (2/3) of the decrease in average daily attendance. If the average daily
23 attendance remains the same or decreases in the succeeding school year, the average
24 daily attendance for purposes of calculating program funding for the following
25 school year shall be increased by an amount equal to one-third (1/3) of the decrease
26 for the first year of the decline.

27 ~~(11)~~~~{(10)}~~ If the percentage of attendance of any school district shall have been reduced

1 more than two percent (2%) during the previous school year, the program funding
2 allotted the district for the current school year shall be increased by the difference in
3 the percentage of attendance for the two (2) years immediately prior to the current
4 school year less two percent (2%).

5 ~~(12)~~~~{(11)}~~ (a) Instructional salaries for vocational agriculture classes shall be for
6 twelve (12) months per year. Vocational agriculture teachers shall be
7 responsible for the following program of instruction during the time period
8 beyond the regular school term established by the local board of education:
9 supervision and instruction of students in agriculture experience programs;
10 group and individual instruction of farmers and agribusinessmen; supervision
11 of student members of agricultural organizations who are involved in
12 leadership training or other activity required by state or federal law; or any
13 program of vocational agriculture established by the Division of Career and
14 Technical Education in the Department of Education. During extended
15 employment, no vocational agriculture teacher shall receive salary on a day
16 that the teacher is scheduled to attend an institution of higher education class
17 which could be credited toward meeting any certification requirement.

18 (b) Each teacher of agriculture employed shall submit an annual plan for summer
19 program to the local school superintendent for approval. The summer plan
20 shall include a list of tasks to be performed, purposes for each task, and time
21 to be spent on each task. Approval by the local school superintendent shall be
22 in compliance with the guidelines developed by the Department of Education.
23 The supervision and accountability of teachers of vocational agriculture's
24 summer programs shall be the responsibility of the local school
25 superintendent. The local school superintendent shall submit to the
26 commissioner of education a completed report of summer tasks for each
27 vocational agriculture teacher. Twenty percent (20%) of the approved

1 vocational agriculture programs shall be audited annually by the State
 2 Department of Education to determine that the summer plan has been properly
 3 executed.

4 ~~(13)~~~~((12))~~ (a) In allotting program funds for home and hospital instruction, statewide
 5 guaranteed base funding, excluding the capital outlay, shall be allotted for
 6 each child in average daily attendance in the prior school year who has been
 7 properly identified according to Kentucky Board of Education administrative
 8 regulations. Attendance shall be calculated pursuant to KRS 157.270 and shall
 9 be reported monthly on forms provided by the Department of Education; and

10 (b) Pursuant to administrative regulations of the Kentucky Board of Education,
 11 local school districts shall be reimbursed for home and hospital instruction for
 12 pupils unable to attend regular school sessions because of short term health
 13 impairments. A reimbursement formula shall be established by administrative
 14 regulations to include such factors as a reasonable per hour, per child
 15 allotment for teacher instructional time, with a maximum number of funded
 16 hours per week, a reasonable allotment for teaching supplies and equipment,
 17 and a reasonable allotment for travel expenses to and from instructional
 18 assignments, but the formula shall not include an allotment for capital outlay.
 19 Attendance shall be calculated pursuant to KRS 157.270 and shall be reported
 20 annually on forms provided by the Department of Education.

21 ~~(14)~~~~((13))~~ Except for those schools which have implemented school-based decision
 22 making and the school council has voted to waive this subsection, kindergarten
 23 aides shall be provided for each twenty-four (24) full-time equivalent kindergarten
 24 students enrolled.

25 ~~(15)~~~~((14))~~ Effective July 1, 2001, there shall be no deduction applied against the base
 26 funding level for any pupil in average daily attendance who spends a portion of his
 27 or her school day in a program at a state-operated career and technical education or

1 vocational facility.

2 ~~(16)~~~~(15)~~ During a fiscal year, a school district may request that the Department of
 3 Education recalculate its funds allocated under this section if the current year
 4 average daily attendance for the twenty (20) day school month as defined in KRS
 5 158.060(1) that contains the most days within the calendar month of January
 6 exceeds the prior year adjusted average daily attendance plus growth by at least one
 7 percent (1%). Any adjustments in the allotments approved under this subsection
 8 shall be proportional to the remaining days in the school year and subject to
 9 available funds under the program to support education excellence in Kentucky.

10 ~~(17)~~~~(16)~~ To calculate the state portion of the program to support education excellence
 11 in Kentucky for a school district, the Department of Education shall subtract the
 12 local effort required under KRS 157.390(5) from the calculated base funding under
 13 the program to support education excellence in Kentucky, as required by this
 14 section. The value of the real estate used in this calculation shall be the lesser of the
 15 current year assessment or the prior year assessment increased by four percent (4%)
 16 plus the value of current year new property. The calculation under this subsection
 17 shall be subject to available funds.

18 ~~(18)~~~~(17)~~ Notwithstanding any other statute or budget of the Commonwealth language
 19 to the contrary, time missed due to shortening days for emergencies may be made
 20 up by lengthening school days in the school calendar without any loss of funds
 21 under the program to support education excellence in Kentucky.

22 ➔Section 4. KRS 157.420 is amended to read as follows:

23 Public school funds made available to the credit of each district during any year shall be
 24 received, held, and expended by the district board, subject to the provisions of law and
 25 administrative regulations of the Kentucky Board of Education. The following restrictions
 26 shall govern the expenditure of funds from the public school fund:

27 (1) The salary paid any rank of teachers shall be at least equivalent to the amount set

1 forth in the biennial budget schedule for each rank and experience for a term of one
2 hundred eighty-five (185) days for full-time service during the regular school year.

3 (2) Beginning with the 2004-2006 biennium, the Kentucky Board of Education shall
4 not approve any working budget or salary schedule for local boards of education for
5 any school year unless the one hundred eighty-five (185) day salary schedule for
6 certified staff has been adjusted over the previous year's salary schedule by a
7 percentage increase at least equal to the cost-of-living adjustment that is provided
8 state government workers under the biennial budget. The base funding level in the
9 program for support education excellence in Kentucky as defined in KRS 157.320
10 shall be increased by the statewide dollar value of the annual required cost-of-living
11 percentage adjustment that shall be estimated on the sum of the previous year's
12 statewide teachers' salaries.

13 (3) A district that compensates its teachers or employees for unused sick leave at the
14 time of retirement, pursuant to KRS 161.155, may create an escrow account to
15 maintain the amount of funds necessary to pay teachers or employees who qualify
16 for receipt of the benefit. The fund is limited to not more than fifty percent (50%) of
17 the maximum liability for the current year to be determined according to the number
18 of staff employed by the district on September 15. Interest generated by the account
19 shall be calculated as part of the total amount. The funds shall not be used for any
20 purpose other than compensation for unused sick leave at the time of retirement and
21 shall not be considered as part of the general fund balance in determining available
22 local revenue for purposes of KRS 157.620.

23 (4) (a) The per pupil capital outlay allotment for each district from the public school
24 fund and from local sources shall be kept in a separate account and may be
25 used by the district only for capital outlay projects approved by the
26 commissioner of education in accordance with requirements of law, and based
27 on a survey made in accordance with administrative regulations of the

1 Kentucky Board of Education. These funds shall be used for the following
2 capital outlay purposes:

- 3 1. For direct payment of construction costs;
- 4 2. For debt service on voted and funding bonds;
- 5 3. For payment or lease-rental agreements under which the board
6 eventually will acquire ownership of a school plant;
- 7 4. For the retirement of any deficit resulting from overexpenditure for
8 capital construction, if such deficit resulted from an emergency declared
9 by the Kentucky Board of Education under KRS 160.550; and
- 10 5. As a reserve fund for the above-named purposes, to be carried forward
11 in ensuing budgets.

12 (b) A district may submit a request to the commissioner of education to use funds
13 from the per pupil capital outlay allotment to purchase land for a new school
14 or to modify an existing school if the project is included on the district facility
15 plan for completion within eight (8) years. The land shall not be included in
16 the calculation of the school district's unmet need. The commissioner may
17 grant or deny the district's request at his or her discretion.

18 (c) A district which has experienced an increase in adjusted average daily
19 attendance, as defined by administrative regulation, of twenty percent (20%)
20 or more over a five (5) year period may submit a request to the commissioner
21 of education to use capital outlay funds for the operation of a new school for
22 the first two (2) years following its opening. The commissioner may grant or
23 deny the district's request at his or her discretion.

24 (d) A local school district may submit a request to the commissioner of education
25 to use capital outlay funds for maintenance expenditures or for the purchase of
26 property insurance without forfeiting the district's participation in the School
27 Facilities Construction Commission program. Maintenance requests may

1 include other priorities that are not considered major renovations, such as
2 repair, renovation, or system upgrades that are necessary to maintain the
3 integrity of an existing school facility.

4 (5) The district may contribute capital outlay funds for energy conservation measures
5 under guaranteed energy savings contracts pursuant to KRS 45A.345, 45A.352, and
6 45A.353. Use of these funds, provided in KRS 45A.353, 56.774, and 58.600, shall
7 be based on the following:

- 8 (a) The energy conservation measures shall include facility alteration;
- 9 (b) The energy conservation measures shall be identified in the district's approved
10 facility plan;
- 11 (c) The current facility systems are consuming excess maintenance and operating
12 costs;
- 13 (d) The savings generated by the energy conservation measures are guaranteed;
- 14 (e) The capital outlay funds contributed to the energy conservation measures shall
15 be defined as capital cost avoidance as provided in KRS 45A.345(2) and shall
16 be subject to the restrictions on usage as specified in KRS 45A.352(9); and
- 17 (f) The equipment that is replaced shall have exceeded its useful life as
18 determined by a life-cycle cost analysis.

19 (6) If any district has a special levy for capital outlay or debt service that is equal to the
20 capital outlay allotment or a proportionate fraction thereof, and spends the proceeds
21 of that levy for the above-named purposes, the commissioner of education under
22 administrative regulations of the Kentucky Board of Education, may authorize the
23 district to use all or a proportionate fraction of its capital outlay allotment for
24 current expenses. However, a district which uses capital outlay funds for current
25 expenses shall not be eligible to participate in the School Facilities Construction
26 Commission funds, except when the current expenditures are approved by the
27 commissioner of education under subsection (4)(b) or (c) of this section.

- 1 (7) If a survey shows that a school district has no capital outlay needs as shown in
2 subsection (4)(a)1., 2., 3., and 4. of this section, upon approval of the commissioner
3 of education, these funds may be used for school plant maintenance, repair,
4 insurance on buildings, replacement of equipment, purchase of school buses, and
5 the purchase of modern technological equipment, including telecommunications
6 hardware, televisions, computers, and other technological hardware to be utilized
7 for educational purposes only.
- 8 (8) In surveying the schools, the Department of Education shall designate each school
9 facility as a permanent, functional, or transitional center.
- 10 (a) "Permanent center" means a center which meets the program standards
11 approved by the Kentucky Board of Education, is located so that students are
12 not subjected to an excessive amount of time being transported to the site, and
13 has established an attendance area which will maintain enrollment at capacity
14 but will also avoid overcrowding.
- 15 (b) "Functional center" means a center which does not meet all the criteria
16 established for a permanent facility, but is adequate to meet accreditation
17 program standards to insure no substantial academic or building deficiency.
18 The facility plan shall include additions and renovations necessary to meet
19 current accreditation standards for which federal, state, and local funds may be
20 used.
- 21 (c) "Transitional center" means a center which the local board of education has
22 determined shall no longer be designated permanent or functional. The center
23 shall be destined to be closed and shall not be eligible for new construction,
24 additions, or major renovation. However, the board of education shall
25 maintain any operating transitional center to provide a safe and healthy
26 environment for students.
- 27 (9) Beginning in fiscal year 2011-2012, the Kentucky Department of Education shall

1 standardize the process for evaluating the overall quality and condition of all school
2 buildings across the state. The evaluation process shall:

3 (a) Result in consistent categorization of buildings for local planning purposes
4 and for the distribution of state general fund moneys designated for capital
5 construction;

6 (b) Be based on measurable, objective criteria;

7 (c) Include numerical scoring with weights to recognize building components and
8 characteristics that address:

9 1. Life safety issues;

10 2. Compliance with state and federal codes;

11 3. Compliance with requirements under the Americans with Disabilities
12 Act;

13 4. Community spaces;

14 5. Instructional areas;

15 6. Mechanical, electrical, plumbing, and other technology systems;

16 7. Site and exterior building conditions;

17 8. Age of the buildings;

18 9. Feasibility of building additions or major renovations;

19 10. The districts' facility capacities;

20 11. Current use of temporary facilities; and

21 12. Projected enrollment growth; and

22 (d) Use of a third-party evaluator that utilizes an already established software-
23 based system to perform the first, base-line evaluation.

24 (10) The Kentucky Board of Education shall promulgate an administrative regulation
25 upon recommendation of the Kentucky Department of Education and the School
26 Facilities Construction Commission to implement subsection (9) of this section.

27 (11) If a local school board authorized elementary, middle, or secondary education

classes in a facility of a historical settlement school on January 1, 1994, the board shall continue to use the facilities provided by the settlement school if the facilities meet health and safety standards for education facilities as required by administrative regulations. The local school board and the governing body of the settlement school shall enter into a cooperative agreement that delineates the role, responsibilities, and financial obligations for each party.

(12) Notwithstanding the provisions of subsections (4) and (6) of this section, a local district that has requested a mid-year adjustment in the support education excellence in Kentucky funding under KRS ~~157.360(15)~~ 157.360(16) may request permission from the commissioner of education to use capital outlay funds for the purchase of school buses or to use the capital outlay funds for increased operational expenses for the first three (3) years following the increased growth in the district without forfeiture of the district's participation in the School Facilities Construction Commission Program. The commissioner may grant or deny the district's request.

→ Section 5. KRS 164.7879 is amended to read as follows:

(1) Kentucky educational excellence scholarship awards shall be based upon an established base scholarship amount and an eligible high school student's grade point average. The base scholarship amount for students attaining a grade point average of at least 2.5 for the 1998-1999 academic year shall be as follows:

	GPA	Amount	GPA	Amount
	2.50	\$125.00	3.30	\$325.00
	2.60	\$150.00	3.40	\$350.00
	2.70	\$175.00	3.50	\$375.00
	2.75	\$187.00	3.60	\$400.00
	2.80	\$200.00	3.70	\$425.00
	2.90	\$225.00	3.75	\$437.00
	3.00	\$250.00	3.80	\$450.00

1	3.10	\$275.00	3.90	\$475.00
2	3.20	\$300.00	4.00	\$500.00
3	3.25	\$312.00		

4 The authority shall review the base amount of the Kentucky educational excellence
5 scholarship each academic year and may promulgate an administrative regulation to
6 make adjustments after considering the availability of funds.

7 (2) (a) The authority shall commit to provide to each eligible high school student the
8 base amount of the Kentucky educational excellence scholarship for each
9 academic year of high school study in the Kentucky educational excellence
10 scholarship curriculum that the high school student has attained at least a 2.5
11 grade point average. The award shall be based upon the eligible high school
12 student's grade point average at the close of each academic year. An award
13 attributable to a past academic year shall not be increased after the award has
14 been earned by an eligible high school student, regardless of any subsequent
15 increases made to the base amount of the Kentucky educational excellence
16 scholarship through the promulgation of an administrative regulation by the
17 authority.

18 (b) Notwithstanding the definitions of "eligible high school student" and "high
19 school" in KRS 164.7874, any high school student who maintains Kentucky
20 residency and completes the academic courses that are required for a
21 Kentucky educational excellence scholarship while participating in an
22 approved educational high school foreign exchange program or participating
23 in the United States Congressional Page School may apply his or her grade
24 point average for that academic year toward the base as described in paragraph
25 (a) of this subsection. The grade point average shall be reported by the
26 student's Kentucky home high school, based on an official transcript from the
27 school that the student attended during the out-of-state educational experience.

1 The authority shall promulgate administrative regulations that describe the
2 approval process for the educational exchange programs that qualify under
3 this paragraph. The provisions in this paragraph shall likewise apply to any
4 Kentucky high school student who participated in an approved educational
5 exchange program or in a Congressional Page School since the 1998-99
6 school year and maintained his or her Kentucky residency throughout.

7 (c) 1. Notwithstanding the definitions of "eligible high school student" and
8 "high school" in KRS 164.7874 and the requirement that a student
9 graduate from a Kentucky high school, a high school student who
10 completes the KEES curriculum while attending an accredited out-of-
11 state high school or Department of Defense school may apply the grade
12 point average for any applicable academic year toward the base as
13 described in paragraph (a) of this subsection and shall also qualify for a
14 supplemental award under subsection (3) of this section when:

- 15 a. His or her custodial parent or guardian is in active service of the
16 Armed Forces of the United States; and
- 17 b. The custodial parent or guardian maintained Kentucky as the home
18 of record at the time the student attended an accredited out-of-state
19 high school or a Department of Defense school.

20 2. The student or parent shall arrange for the out-of-state school to report
21 the student's grade point average each academic year and the student's
22 highest ACT score to the authority as required under KRS 164.7885.
23 The authority shall promulgate administrative regulations implementing
24 the requirements in this paragraph, including:

- 25 a. The documentation that the parent shall submit to the authority
26 establishing the student's eligibility for the scholarship; and
- 27 b. The assurances that an out-of state institution shall submit to the

authority for submission of the student grade point average.

3. The provisions in this paragraph shall apply to the 2001-2002 school year and thereafter.

(d) Beginning with the 2013-2014 academic year, a student who meets the Kentucky core academic standards for high school graduation established in administrative regulation and graduates after completing three (3) years of high school shall receive a Kentucky educational excellence scholarship award equivalent to completing high school in four (4) years. The award shall be determined by dividing the total actual KEES scholarship earned under subsection (1) of this section by three (3) and multiplying that number by four (4). The resulting number shall be the annual award the student is eligible for under subsection (1) of this section.

- (3) (a) The authority shall commit to provide to each eligible high school student graduating from high school before June 30, 1999, and achieving a score of at least 15 on the American College Test, a supplemental award for the award period beginning in the fall of 1999, based on the eligible high school student's highest ACT score attained by the date of graduation from high school. The amount of the supplemental award shall be determined as follows:

ACT	Annual	ACT	Annual
Score	Bonus	Score	Bonus
15	\$21	22	\$171
16	\$43	23	\$193
17	\$64	24	\$214
18	\$86	25	\$236
19	\$107	26	\$257
20	\$129	27	\$279
21	\$150	28 or above	\$300

Subsequent supplemental awards for eligible high school students graduating before June 30, 1999, shall be determined in accordance with the provisions of paragraph (b) of this subsection.

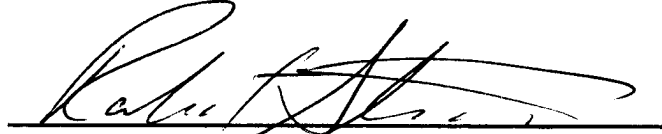
- (b) The authority shall commit to provide to each eligible high school student upon achievement after June 30, 1999, of an ACT score of at least 15 on the American College Test a supplemental award based on the eligible high school student's highest ACT score attained by the date of graduation from high school. The amount of the supplemental award shall be determined as follows:

ACT		ACT	
Score	Amount	Score	Amount
15	\$36	22	\$286
16	\$71	23	\$321
17	\$107	24	\$357
18	\$143	25	\$393
19	\$179	26	\$428
20	\$214	27	\$464
21	\$250	28 and above	\$500

The authority shall review the base amount of the supplemental award beginning with the 2001-2002 academic year and each academic year thereafter and may promulgate an administrative regulation to make adjustments after considering the availability of funds.

- (c) Beginning with the 2008-2009 academic year, the authority shall commit to provide a supplemental award for achievement on examinations for Advanced Placement or International Baccalaureate as defined in KRS 158.007 to an eligible high school student whose family was eligible for free or reduced-price lunch for any year during high school enrollment.

- 1 1. The supplemental award for AP examination scores are as follows:
 - 2 a. Two hundred dollars (\$200) for each score of three (3);
 - 3 b. Two hundred fifty dollars (\$250) for each score of four (4); and
 - 4 c. Three hundred dollars (\$300) for each score of five (5).
- 5 2. The supplemental award for IB examination scores are as follows:
 - 6 a. Two hundred dollars (\$200) for each score of five (5);
 - 7 b. Two hundred fifty dollars (\$250) for each score of six (6); and
 - 8 c. Three hundred dollars (\$300) for each score of seven (7).
- 9 (d) The authority shall promulgate administrative regulations establishing the
 - 10 eligibility criteria and procedures for making a supplemental award to
 - 11 Kentucky residents who are citizens, nationals, or permanent residents of the
 - 12 United States and who graduate from a nonpublic secondary school not
 - 13 certified by the Kentucky Board of Education and Kentucky residents who are
 - 14 citizens, nationals, or permanent residents of the United States and who obtain
 - 15 a General Educational Development (GED) diploma within five (5) years of
 - 16 their high school graduating class, and students under subsection (2)(c) of this
 - 17 section who do not attend an accredited high school.



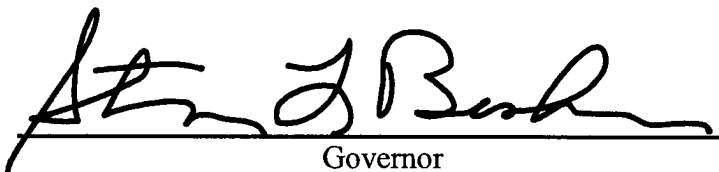
President of Senate



Speaker-House of Representatives

Attest: 

Chief Clerk of Senate

Approved 

Governor

Date 3-22-13